

MINUTES

REGULAR SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY July 16, 2024 - 7:00 P.M.

BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT COMMUNITY ROOM

- I. **Call to Order:** *Brown County Planning/Zoning Commission* meeting was called to order by Stan Beckler Chairman.
- II. **Roll Call:** Members of the Brown County Planning/Zoning Commission present for roll call were Stan Beckler Chairman, David North Vice-Chairman, Pat Keatts, Dale Kurth, James Meyers, Carrie Weisenburger, County Commissioner Michael Gage (*who serves on this Board per SDCL 11-2-2*), Paul Johnson (*Alternate P&Z Commissioner*).
- III. **Agenda:** After discussion, Keatts moved and Kurth seconded to approve this July 16, 2024, Planning/Zoning Commission Agenda as presented. All members voted aye; motion carried.
- IV. **Minutes:** After discussion, North moved and Gage seconded to approve June 18, 2024, Planning/Zoning Commission Minutes as written, all members voted aye; motion carried.
- V. **Old Business:**
 - 1) **Sign-up Sheet:** at door entrance on the table for anyone to speak on an Agenda Item.
 - 2) **Permits:** Anyone present that has submitted Zoning Board of Adjustment (BOA) Agenda items such as a Variance Petition (VP) or Conditional Use Petition (CUP) that get approved, are still required to follow up with their PERMITS from the Zoning Office before starting their project.
 - 3) **Postponed from June 18, 2024, Zoning BOA meeting; Conditional Use Petition (CUP)** in an Agriculture Preservation District (AG-P) described as “Shawn Gengerke’s Outlot 2” in the NW1/4 of Section 19-T124N-R60W of the 5th P.M., Brown County, South Dakota (~~40605 127th Street~~; Riverside Twp.). Following discussion that **Gengerke will continue to use 12702 406th Avenue for his licensed address with the ATF**, North moved, and Weisenburger seconded to **Approve the Conditional Use Petition (CUP)** to operate a Federal Firearms Licensed (FFL) home business in an Agriculture Preservation District (AG-P), all members voting aye, motion carried.
 - 4) **Postponed from June 18, 2024, Zoning BOA meeting; Appeal to Standard Approach Width** in a Heavy Industrial District (H-I) described as “Mead’s Outlot D” in the E1/2 of Section 20-T123N-R64W of the 5th P.M., Brown County, South Dakota (38390 West Highway 12; Aberdeen Twp.). Meyers moved, North seconded to note that the petitioner, Jake Ochsner **requested to withdraw their Appeal to Standard Approach Width** prior to the meeting.
- VI. **New Business:** *Planning/Zoning Commission as Zoning Board of Adjustment (BOA)*
 - 1) **Variance to Building Setbacks** in a Lake Front Residential District (R-3) described as Lot 31, “Lutgen’s West Addition” in the NE1/4 of Section 23-T124N-R65W of the 5th P.M., Brown County,

South Dakota (127116 W Shore Drive, Ravinia Twp.). Submitted by Chris & Nicole Kassube. Chris & Nicole Kassube were in attendance for this item. Following discussion on Findings of Facts (FoF), Weisenburger moved, and Keatts seconded to **approve the Finding of Facts (FoF) as presented**. Also following discussion, Weisenburger moved, and Keatts seconded to **approve a Variance to Building Setbacks** to have a 10'-0" West Rear Yard Setback rather than the 30'-0" required for a new 35'x44' unattached garage, all members voting aye, motion carried.

Completed as Zoning Board of Adjustment (BOA) Agenda & going to Planning Commission Agenda

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- I. **Old Business:** Discussion on Amendments to Brown County Ordinance Title 4 for Chapters 4.22 through Chapter 4.29 on Administrative Rules and Enforcement are still postponed until further notice, by Ross Aldentaler, Deputy States Attorney.

- II. **New Business:** *Brown County Planning/Zoning Commission as [Planning Commission](#)*
 - 10) **Rezone Petition** for a property described as Proposed Lot 1, "Palmyra Farmhouse Second Addition" in the SW1/4 of Section 18-T128N-R65W of the 5th P.M., Brown County, South Dakota (10260 373rd Avenue; Palmyra Twp.) to be rezoned from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG). Submitted by Nicole Kempf. There wasn't anyone in attendance for this item. Following discussion, North moved, Gage seconded to **recommend approval of the Rezone Petition** to the Board of Brown County Commissioners, all members voting aye, motion carried.

 - 11) **Preliminary & Final Plat** for conveyance purposes on a property described as "Palmyra Farmhouse Second Addition" in the SW1/4 of Section 18-T128N-R65W of the 5th P.M., Brown County, South Dakota (10260 373rd Avenue, Palmyra Twp.). Submitted by Nicole Kempf. There wasn't anyone in attendance for this item. Following discussion, Weisenburger moved, Keatts seconded to **recommend approval of the Preliminary & Final Plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.

 - 12) **Preliminary Plat** for review purposes on a property described as "Johnson Airport Subdivision" in the SW1/4 of Section 22-T123N-R63W of the 5th P.M., Brown County, South Dakota (Approx. 1349 S 391st Avenue, Bath Twp.). Submitted by James Johnson. There wasn't anyone in attendance for this item. Following discussion, Kurth moved, North seconded to **recommend approval of the Preliminary Plat with a stipulation** that a letter from the airport manager is required stating that "construction may be approved by the FAA and airport for new homes" and be submitted with the final plat to the Board of Brown County Commissioners, all members voting aye, motion carried.

13) Preliminary & Final Plat as a stipulation by the Planning Commission for a property described as “Gengerke Richmond Lake Addition” in the NW1/4 of Section 13-T124N-R65W of the 5th P.M., Brown County, South Dakota (126365 North Bridge Road; Ravinia Twp). Submitted by Collin & Deb Gengerke. There wasn’t anyone in attendance for this item. Following discussion, Meyers moved, Weisenburger seconded to **recommend approval of the Preliminary & Final Plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.

14) Preliminary & Final Plat as a stipulation by the Planning Commission for a property described as “Haugen First Subdivision” in the NE1/4 of Section 23-T124N-R65W of the 5th P.M., Brown County, South Dakota (127250 West Shore Drive; Ravinia Twp). Submitted by Alvin & Nancy Haugen. There wasn’t anyone in attendance for this item. Following discussion, Gage moved, North seconded to **recommend approval of the Preliminary & Final Plat** to the Board of Brown County Commissioners, all members voting aye, motion carried.

III. Other Business: None

IV. Adjourn: There being no further business before the Planning/Zoning Commission, Weisenburger moved and Keatts seconded to adjourn the meeting, all members voting aye, motion carried.

Submitted by: Planning/Zoning Director Scott Bader.